

S. LANE TUCKER
United States Attorney

AINSLEY MCNERNEY
Assistant U.S. Attorney
ANDREA W. HATTAN
Special Assistant U.S. Attorney
Federal Building & U.S. Courthouse
222 West Seventh Avenue, #9, Room 253
Anchorage, AK 99513-7567
Phone: (907) 271-5071
Email: Ainsley.McNerney1@usdoj.gov
Email: Andrea.Hattan@noaa.gov

Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DUGAN PAUL DANIELS,

Defendant.

No. 1:24-cr-00006-JMK-MMS

COUNT 1

LACEY ACT – FALSE LABELING

Vio. of 16 U.S.C. §§ 3372(d)(2),
3373(d)(3)(A)(ii)

COUNT 2

ENDANGERED SPECIES ACT –
ILLEGAL TAKE

Vio. of 16 U.S.C. §§ 1538(a)(1)(C),
1540(b)(1)

INFORMATION

The United States Attorney charges that:

INTRODUCTION

1. Pursuant to the Lacey Act, 16 U.S.C. §§ 3372(d)(2), 3373(d)(3)(A)(ii), it is

a crime for any person to knowingly make or submit any false record, account, or label for, or any false identification of, any fish, which has been, or is intended to be, transported in interstate or foreign commerce, where the offense involves the sale or purchase, offer of sale or purchase, or commission of an act with intent to sell fish with a market value greater than \$350.

2. Pursuant to the Endangered Species Act, 16 U.S.C. §§ 1538(a)(1)(C), 1540(b)(1), it is a crime for any person subject to the jurisdiction of the United States to knowingly and unlawfully take any endangered species of fish or wildlife listed pursuant to 16 U.S.C. § 1533 upon the high seas. The sperm whale (*Physeter macrocephalus*) is listed as an endangered species of wildlife. *See* 16 U.S.C. § 1533; 50 C.F.R. § 17.11(h).

COUNT 1

Between on or about October 25, 2020, through on or about November 9, 2020, within the District of Alaska, the defendant, DUGAN PAUL DANIELS made and submitted false records for fish, which had been, and were intended to be, transported in interstate and foreign commerce, and sold, offered for sale, and committed an act with intent to sell such fish, which had a market value greater than \$350, specifically, DANIELS made and submitted Alaska Department of Fish and Game Fish Tickets, Individual Fishing Quota landing reports, and Daily Fishing Logbook entries, which falsely reported the locations, dates, and times where DANIELS caught sablefish, halibut, and other species of fish.

All of which is in violation of 16 U.S.C. §§ 3372(d)(2), 3373(d)(3)(A)(ii).

COUNT 2

Between on or about March 25, 2020, through on or about March 26, 2020, in the District of Alaska, the defendant, DUGAN PAUL DANIELS, a person subject to the jurisdiction of the United States, did knowingly and unlawfully take an endangered species of wildlife listed pursuant to 16 U.S.C. § 1533 upon the high seas, specifically, DANIELS harassed, harmed, pursued, shot, wounded, and attempted to harass, harm, pursue, shoot at, and wound, a sperm whale (*Physeter macrocephalus*).

All of which is in violation of 16 U.S.C. §§ 1538(a)(1)(C), 1540(b)(1).

RESPECTFULLY SUBMITTED May 15, 2024, at Anchorage, Alaska.

S. LANE TUCKER
United States Attorney

/s Ainsley McNerney
AINSLEY MCNERNEY
Assistant United States Attorney
United States of America

/s Andrea W. Hattan
ANDREA W. HATTAN
Special Assistant United States Attorney
United States of America